

Remarks

The present response is being submitted in reply to the Office action dated October 13, 2004. Claims 23 and 26-32 are pending in the application. According to the Office action, each of these claims has been withdrawn on the basis that they pertain to an unrelated and different invention than the claims previously pending in the application. Namely, the Examiner states that the previously pending claims were directed to a therapeutic system and a “process of manufacturing a therapeutic system,” whereas claims 23 and 26-32 are directed to “a method of reducing cold flow.” Accordingly, the Examiner has withdrawn claims 23 and 26-32 from consideration as being directed to a non-elected invention.

Per a telephone conference with the Examiner on October 27, 2004 in regards to this matter, the Examiner suggested adding the previously pending claims to the present application in the form of new claims 33, et seq. Accordingly, the applicant submits new claims 33-40 which correspond to the previously pending claims (i.e., new claim 33 corresponds to previously pending claim 15, new claim 34 with previously pending claim 17, new claim 35 with previously pending claim 19, new claim 36 with previously pending claim 20, new claim 37 with previously pending claim 21, new claim 38 with previously pending claim 22, new claim 39 with previously pending claim 23 and new claim 40 with previously pending claim 25).

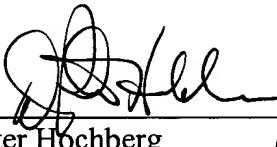
Conclusion

In light of the foregoing claims and arguments submitted with the Office action response dated July 28, 2004 and incorporated herein by reference, it is believed that the

present application is in condition for allowance, and such action is earnestly solicited.

The Examiner is invited to call the undersigned if there are any remaining issues to be discussed which could expedite the prosecution of the present application.

Respectfully submitted,

By: 
D. Peter Hochberg
Reg. No. 24,603

D. Peter Hochberg Co., L.P.A.
1940 E. 6th St. - 6th Floor
Cleveland, OH 44114-2294
(216) 771-3800